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**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE**

VICKI R. SEIDEL

Plaintiff,
v.

UNITED STATES OF AMERICA,
Defendant.

CASE NO: 5:07-CV-03141 - JF
Honorable Judge Jeremy Fogel
MOTION FOR PARTIAL
RECONSIDERATION OF ORDER
DENYING MOTION FOR
TEMPORARY RESTRAINING ORDER

**MOTION FOR PARTIAL RECONSIDERATION OF ORDER
DENYING MOTION FOR TEMPORARY RESTRAINING ORDER**

Comes now the defendant, Vicki R. Seidel, by and through her attorneys of record, Robert Alan Jones and Chris Dietrich, and moves for partial reconsideration of this Court's order denying her Motion for Temporary Restraining Order. This motion is based on the fact that the application for temporary restraining order and the memorandum of points and authorities attached here and below demonstrate as a matter of law that the Notice of Levy delivered to Marc Goodwin, Inc., her employer, is defective on its face, and its terms conflict with both the Internal Revenue Code, and the Internal Revenue Service Internal Revenue Manual.

Therefore, at a minimum, the Commissioner of the Internal Revenue should be temporarily enjoined from levying statutorily exempt portions of Mrs. Seidel's salary and wages. The Commissioner should also be enjoined from levying on this non-assessed taxpayer's personal 50% interest in her salary in the community property state of California.

Counsel for plaintiff have contacted the government attorney assigned to this case, and the office of the responsible Internal Revenue Service officer, and informed them of the filing of this Motion for Reconsideration.

WHEREFORE it is requested that the Court grant this Motion for Partial Reconsideration and temporarily enjoin the United States and the Commissioner of Internal Revenue from levying (1) the statutorily exempt portion of the plaintiff's salary and wages, and (2) the 50% portion of the plaintiff's salary and wages in which the assessed taxpayer, Thomas E. Seidel, has no community interest, until such time as the scheduled hearing on the requested preliminary injunction can be completed.

DATED: This 22nd day of June, 2007.

Respectfully submitted,

/s/ Robert Alan Jones
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CERTIFICATE OF SERVICE

This is to certify that on June 22, 2007, I caused to be served the foregoing **MOTION FOR PARTIAL RECONSIDERATION OF ORDER DENYING MOTION FOR TEMPORARY RESTRAINING ORDER**, using the electronic court filing system, and will be distributed to all parties shortly after its filing.

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Dated this 22nd day of June, 2007.

/s/ Stephanie Burton
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